



Licensing Authority
5th Floor, Wat Tyler West
Beckhampton Street
Swindon
SN1 2JG
Tel: 01793 466113
licensing@swindon.gov.uk

Guidance Notes – Scrap Metal Site Licence

A scrap metal Site licence issued by Swindon Borough Council authorise the licensee to carry on business as a purchaser and seller of Scrap Metal from a named site in the Borough of Swindon. This means that the Site can carry on business as a scrap metal dealer and they can regularly engage, in the course of their business, in collecting waste materials and old, broken, worn out or defaced articles by means buying and selling.

Verification of Supplier's Identity

Prior to receiving scrap metal from any person, a site owner/ manager must verify the person's full name and address by referring to:

- (a) 1 document from column A in the table below that bears the person's full name, photograph and residential address;

OR

- (b) 1 document from column A in the table below that bears the person's full name, photograph and date of birth AND 1 document from column B in the table below that bears the person's full name and residential address.

A copy of any document that is used to verify the name or address of the person supplying the scrap metal must be kept by the site owner/ manager and must be marked so as to identify the scrap metal to which it relates.

It is an offence for a site to receive scrap metal if they have not verified the name and address of the person from whom they have received the scrap metal. A person who is found guilty of such an offence is liable to a fine not exceeding level 3 on the standard scale (currently £1000).

Column A	Column B
A valid United Kingdom passport, within the meaning of section 33(1) of the Immigration Act 1971(2);	A bank or building society statement dated no more than 3 months before the date that the scrap metal is received.
A valid passport issued by an EEA state	A credit or debit card statement dated no more than 3 months before the date that the scrap metal is received.
A valid Great Britain or Northern Ireland photo-card driving licence	A council tax demand letter or statement dated no earlier than 3 months before the date that the scrap metal is received.
A valid UK biometric immigration document, issued in accordance with regulations made under section 5 of the UK Borders Act 2007	A utility bill, but not a mobile telephone bill dated no earlier than 3 months before the date that the scrap metal is received.

Payment for Scrap Metal

A site owner/ manager cannot pay for scrap metal except:

- (a) by a cheque which under section 81A of the Bills of Exchange Act 1882 is not transferable, or
- (b) by an electronic transfer of funds (authorised by credit or debit card or otherwise).

Where a site pays for scrap metal by cheque, they must keep a copy of the cheque and it must be marked so as to identify the scrap metal to which it relates.

Where a site pays for scrap metal by electronic transfer, they must keep the receipt identifying the transfer or if no such receipt is obtained, they must record particulars identifying the transfer.

It is an offence for a site owner/ manager to make a payment for scrap metal in any way other than by cheque or electronic transfer. It is also an offence for a site owner/manager to fail to keep a copy of any cheque or electronic

transfer receipt relating to a payment they make for scrap metal. A person who is found guilty of either offence is liable, on summary conviction, to an unlimited fine.

Keeping of Records

A scrap metal site owner/ manager must maintain records containing the information set out below about the scrap metal that they receive and dispose of. These records must be kept for a period of 3 years beginning with the day on which the metal is received or disposed of, and must be maintained in a manner that allows the information contained therein and the scrap metal to which the records relate to be readily identifiable by reference to each other.

1. The dealer must record the following information—
2. (a) the description of the metal, including its type (or types if mixed), form, condition, weight and any marks identifying previous owners or other distinguishing features;
3. (b) the date and time of its receipt;
4. (c) if the metal is delivered in or on a vehicle, the registration mark (within the meaning of section 23 of the Vehicle Excise and Registration Act 1994) of the vehicle;
5. (d) if the metal is received from a person, the full name and address of that person;
6. (e) if the dealer pays for the metal, the full name of the person who makes the payment acting for the dealer.
7. (3) If the dealer receives the metal from a person, the dealer must keep a copy of any document which the dealer uses to verify the name or address of that person.
8. (4) If the dealer pays for the metal by cheque, the dealer must keep a copy of the cheque.
9. (5) If the dealer pays for the metal by electronic transfer—
10. (a) the dealer must keep the receipt identifying the transfer, or
11. (b) if no receipt identifying the transfer was obtained, the dealer must record particulars identifying the transfer.

12. When disposing of scrap metal in the course of their business (whether or not it is in the same form in which it was received and whether or not it the disposal is to another person), a mobile collector must record:
- (a) the time & date of the disposal.
 - (b) if the scrap metal is disposed to another person, the full name & address of that person.

It is an offence to fail to keep adequate records for a period of 3 years beginning on the day on which the metal is received or disposed of. A person who is found guilty of such an offence is liable, on summary conviction, to an unlimited fine.

Right to enter and inspect

(1) A constable or an officer of a local authority may enter and inspect a licensed site at any reasonable time, otherwise than on notice to the site manager, if—

- (a) reasonable attempts to give such notice have been made and have failed, or
- (b) entry to the site is reasonably required for the purpose of ascertaining whether the provisions of this Act are being complied with or investigating offences under it and (in either case) the giving of notice would defeat that purpose.

A constable or an officer of a local authority may—

- (a) require production of, and inspect, any scrap metal kept at any premises mentioned in subsection (1) or (2) or in a warrant under subsection (5);
- (b) require production of, and inspect, any records kept in accordance with section 13 or 14 and any other records relating to payment for scrap metal;
- (c) take copies of or extracts from any such records.